

### REMARKS

In view of the above, claims 26-48, 74-76, and 82-87 are pending. Claims 26 and 82-87 are the independent claims. Claims 82-87 are new.

We appreciate the Examiner's indication that claims 28-32, 36, and 74-76 would be allowable if rewritten in independent form. Accordingly, we have rewritten claims 28, 30, 32, 36, 74, and 75 as new claims 82-87, respectively.

The only remaining independent claim, independent claim 26, was rejected as allegedly anticipated by DE 3942556 ("Document N"). We traverse.

As explained during a telephone interview with the Examiner by the undersigned on February 13, 2007, Document N does not disclose a "spiral structure in a cross-sectional plane," as required by claim 26. To the contrary, Document N discloses two fibers helically wound around central fiber (see Fig. 1). Despite the helical arrangement, there is no spiral structure in a cross-sectional plane. For example, in a cross-sectional plane normal to the page of Fig. 1 in Document N, the three fibers would simply appear as three circles.

During the telephone interview the Examiner agreed with this characterization of Document N; however, he felt that because the claimed "waveguide axis" could be construed broadly, there may be some cross-sectional planes for which the fibers in Document N may define the claimed spiral structure. The Examiner recommended amending the claim and specification to clarify that the claimed waveguide axis was a longitudinal waveguide axis.

We do not necessarily concede the Examiner's position regarding spiral structures in Document N. However, in order to expedite allowance, we have amended to claim 26 to clarify that the waveguide axis is a longitudinal axis and that the cross-sectional plane is normal to the longitudinal axis. Support for this amendment is clear from, for example, the paragraph at page 9, line 1 of the specification and FIG. 1 to which it refers. Furthermore, as requested by the Examiner, we have amended this paragraph of the specification explicitly refer to waveguide axis 199 as a longitudinal waveguide axis. Accordingly, we submit that independent claim 26 is allowable.

All of the remaining claims depend from claim 26 and are allowable for at least the same reasons as claim 26.


Finally, we note that during prosecution of the parent application, U.S. Patent Application Serial No. 10/196,403, the Examiner in the parent application, which has since been allowed, made a provisional double patenting rejection with respect to the present application. In order to obtain allowance in the parent application, we indicated that we would file a Terminal Disclaimer in the present application prior to the issuance of the present application. Accordingly, we submit with this Reply an executed Terminal Disclaimer with respect to the parent application.

In view of the above, we ask that the application be allowed.

The extension fee in the amount of \$120.00 and the additional claims fees of \$800.00 are being paid concurrently on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050, referencing 13445-030001.

Respectfully submitted,

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